WOFFORD LAW NO GOOD

KANSAS CITY COURT OF APPEALS TWICE REVERSES HIM.

Prolonged Litigation Over Stolen Cattle Not Settled-Commission Firm Not Responsible for Their Sale-Other Opinions.

for the act of one of his drivers, who was arrested for failing to comply with the milk ordinance. The court of appeals sat down on Wofford's interpretation of the law. Seventeen head of cattle, valued at 2016, have, figuratively speaking, been driver through the courts of Kansas and Missouri, both circuit and appellate, ever since 185, and according to a decision by the Kansas city court of appeals yesterday the lawyers in the case will have to crack the whip over them in still another trial. Nineten years have clapsed since they were brought to Kansas City and sold. They have long since been served up on the tables of base eaters, many of whom are now dead and gone, doubtiers, but the queudon as to who shall pay for the cattle has yet to be decided.

"It would be well for all concerned, said Judge Gates, in rendering his decision," if this prolonged lititation could be brought to an end, but the forecoling questions of fact are for a jury to decide, and therefore the judgment is reversed and the cause remanded for a new trial."

Judge Gates at as a special judge on the appellate bench in place of Judge Gill, who was one of the attorneys in the case. The cattle in controversy were shipped July 5, 1852, by W. H. Moreland to S. D. Irwin and others, commission merchants at the stock yards. This firm in turns sold them to a man animal Clark, who took them to Clay county, Missouri. There it terms of the firm of the

train, playfully picked up a bat in a rail-way men's ball game at Trenton, Mo., July 29, 1895, and knocked a sky-scraper.

W. H. Miles, respondent, vs. Chicago, Rock Island & Pacific Railway Company, appellant; Mercer county; reversed and re-manded. way men's ball game at Trenton, Mo., July 29, 1896, and knocked a sky-scraper. He hit the ball so hard that it ruptured a blood vessel. His wife, Mary A. Philips, who lives in Grundy county, sued on a \$2,000 accident policy held by her husband in the Railway Officials and Employes' Accident Association. The association resisted payment on the ground that it was not liable for injuries incurred in athletic sports. But the attorneys for Mrs. Philips contended that Philips was not taking any



Makes the food more delicious and wholesome

ROYAL BAKING POF DER CO., NEW YORK

wife of a "Jonah" Recovers.

Charley Philips, conductor of a freight

Charley Philips, conductor of a freight Miles, respondent, vs. Chicago,

THE DAUGHTER OF THE SECRETARY OF STATE,

IT WILL BE COOLER.

KI-ki Conner, the so-called weather prophet, has evidently donned his sack cloth and taken a wallow or two in the ashes of his own conceit. He has really given the people of Kansas City for over



maind, and that use may be found for umbrellas.

The maximum temperature yesterday was 16 deg.; the minimum, 50 deg.
Hourly readings of the temperature yesterday were:

terday were:

8 a. m. 59 2 p. m. 59
9 a. m. 62 3 p. m. 99
10 a. m. 66 4 p. m. 63
11 a. m. 68 5 p. m. 67
12 m. 69 6 p. m. 64
1 p. m. 69 7 p. m. 61

Waif, Says a Man Named Smith Brought Her Here.

George Casper, father of Louise Casper, the 7-year-old girl who was picked up by the police at Twenty-fifth and Fairmount avenue Saturday night, came to Kansas City yesterday after her. Casper tives in Leavenworth, He told Police Matron Moore Leavenworth. He told Folice Matten above that the little girl was not here visiting relatives with her mother. Casper claims a man named Smith kidnaped the child and brought her to Kansas City. She was making her escape from him when the police found her. The child is not very bright.

PEOPLE IN SOCIETY.

Mrs. Warren E. Comstock has returned from Lex-Mine Ethel Adams, of Quincy, Ill., is the guest of Mr. and Mrs. Henry C. Merrill have returned from t. Louis, where they went to attend the Horse Mrs. J. Martin Jones returned last Thursday from Chicago, accompanied by Mrs. Frank Calcott and her baby daughter.

Miss Amy Hay, Who Will B: a Leader of Washington Society Miss Mignonette Smith, of Beston, who was the guest of Mrs. J. Crawford James for several weeks, will visit Miss Elva Armstrong in St. Joseph this week.

Mr. Will Jones left yesterday for an extensive tour, going first to Pheenix, A. T., thence to Southern California, and then to Honolulu. He will be away about four months, returning April 1.

going first to Pheenix, A. T. thence to Southern
California, and then to Honoiulu. He will be away
about four months, returning April 1.

Wedding and reception invitations engraved in correct form. Send for samples. Jaccard's, 1924 Main.

Via Santa Fe Route. Best and speediest
train to California. Knnsas City to Los
Angeles in 2 1-6 days, three times a week.
Observation car, with spacious parior for
ladies and children, is a special feature.

NEW TRIAL FOR ADLER

RESULT OF ONE OF JUDGE WOF-FORD'S "ERRORS."

In Instruction Was in Direct Confliet With Supreme Court Decisions, Which Should Have Been Known.

Judge Wofford, of the criminal court, fared roughly at the hands of the appellate courts yesterday. Two men convicted of murder were given new trials by reason of errors in the trial court. Bill Adler, the North end tough who was given ten years for killing a defenseless and fleeing negro, was granted a new trial by the supreme court on the ground that Wofford erred in instructing the jury that Adler could not plead self-defense if he voluntarily went into the difficulty. This is almost identically the instruction given by Judge Longan in the Goddard trial, and in granting a new trial the other day the supreme court betrayed almost irritation in calling attention to the fact that the instructions as to self-

to the fact that the instructions as to selfdefense given by Longan were in direct
conflict with the repeated directions of the
supreme court. The supreme court decisions are well known to all good lawyers.
Judge Wofford is one of the best criminal
lawyers in the state. He must have known
of the decisions.

Was it only a coincidence that one of the
gang's leading placters was given the
benefit of an instruction that went against
the repeated affirmations of the supreme
court? This people are getting tired of these
miscarriages of justice and they are determined to elect a judge who both knows
the law and will embody it in his instructions. A judge who knows the law but
makes errors as vertheless, which by strance
coincidences benefit gang pluggers, is intolerable.

On May 2, 1857, Adier shot and killed Will-On May 2, 1897, Adler shot and killed Will-

conscidences benefit gaing pluggers, is intolerable.

On May 2, 1857, Adier shot and killed William Johnson, and, according to all accounts, the deed was unprovoked and coldblooded. A jury found him guilty, and he
was sentenced to ten years' imprisonment
in the state penitentiary.

Adier is a thug with a political pull. He
has for years trained with the gang which
now controls the affairs of Jackson county,
and of which Judge Wofford is a leading
light. He is a king bee in the county jail,
a prime favorite with the officials, and
the acknowledged boss of the corridors,
When he heard the news he became highly
elated and joked freely with the men behind the bars. He believes that the new
trial will result in his acquittal, or, if convicted, that a very light sentence will be
given him.

It was lucky for Adler that Judge Wofford was inspired to incorporate in nis
charge to the jury, the instruction "that
if Adler had entered into the fight of als
own free will he could not plead self-defense." It caused the action of the supreme court, and may result in Adler being
given his freedom.

The other error made by Wofford's court
was a mistake in examining one jurer
twice in the trial of Tom Clark, convicted
of murdering L'zzie Hatch. Clark was
given a new trial by the supreme court.

The third and fourth reversals which
Wofford met yesterday were in the court
of appeals, when two dairy cases were decided on the ground that Wofford's interpretation of the law was not good law.

ALLEGED PETTY THIEVES.

John Cushenberry and John Connors Arrested for Robbery at Ridge Building News Stand.

The plunder from a raid on E. F. Conine's news stand in the New Ridge building Thursday night, is supposed to have been \$27 worth of 2-cent stamps, but when the alleged culprits were captured Sunday the only incriminating property in their possession was a peculiar key like the one used by Mrs. Couine, and which unlocked the drawer where the stamps were kejt. The suspectis are John Cushenberry and John Conners, the latter colored, and each about 16 years old. They were arraigned about 16 years old. They were arraigned before Justice Walls yesterday and their trial set for November 12.

BROWN MUST HANG.

Supreme Court Affirms the Sentence of Death Passed Upon Him for Murder

The supreme court yesterday affirmed the sentence of death passed on James Brown by the Jackson county criminal court, and he will be hanged in the county jail Tuesday, December 12.

On April 1, 18%; Brown shot and killed Henry Prather at 1218 West Eighth street. He ran away to Chicago, but was arrested and brought back, tried and convicted. When told that the supreme court refused to reverse the decision of the lower court and that he would have to hang, Brown did not seem to realize his position.

DAMAGED BY HAIL.

Owner of Expesition Building Calls Upon Insurance Companies to Pay \$15,000 on Policies.

Three transcripts in which insurance companies are interested were filed in the federal court yesterday in cases transferred from the Jackson county circuit court. from the Jackson county circuit court. They were brought by James T. Holmes against the Phoenix Insurance Company, of Brooklyn: the St. Paul Fire and Marine, and the Concordia, for \$5.00 each. Tacse companies wrote policies on Mr. Holmes property at Thirteenth street and Agnes avenue, the old Exposition building, and have declined to pay the damages done by the bail storm last spring.

TOO MUCH POLITICS.

How the Quest for Votes Interferes With the Grind of the Criminal Machinery.

Although prisoners are in the county jail awaiting trial there will be no session of the criminal court held in Independence un-til January. Judge Wofford opened the Movember term of court there yesterday morning, and immediately declared an adjournment until Thursday. On that day an adjournment will be taken until after the new year.

Federal Court, November Term. The November term of the federal court was opened yesterday morning and hele open several hours during the day while open several hours curing the day wante some motions and minor matters were dis-posed of. None of the regular business of the term was taken up and at noon the court adjourned until to-morrow morning. The jurors and witnesses did not appear resterday, having been summoned to come to-morrow. This was done so they could stay at home and vote, as they would be of no use here on election day.

William Richmond Wants Out. Habeas corpus proceedings were begun in the circuit court yesterday to get Will-lam Richmond out of the workhouse. He is serving a sentence of 200 days imposed by Police Judge Euraham on a charge of vagrancy. Richmond ciaims that he was given no opportunity for defense and is not a vagrant, but was arrested through the spite of a jealous woman.

Bankrupt Firm Discharged.

The New Hoffman House, Madison Square, New York, is the home of those who appreciate good living with all the conveniences and appointments of a first-class modern hotel conducted on the European plan.

The California Limited

In the bankruptcy division of the federal court yesterday discharges were furnished to the old firm of Hammet & Davidson and to Mitchell Greentree. Their applications have been pending several weeks. Schlitz Brewing Company Sued.

Mrs. Addie Price has brought suit in the federal court against the Schiltz Brewing Company for \$5.600 for injuries received by her son in being run down by one of the company's wagons four years ago. Court Briefs. The county court sits at Independence the rest of this month. Joe Stacey, clerk in Judge Henry's court, has gone to Excelsior Springs for a few

7 SUTHERLAND SISTERS

BURLINGTON TICKET OFFICE, 823 Main Street.

Emery, Bird, Thayerto Emery, Bird, Thayerto. Emery, Bird, Thayerto.

THERE IS NEED FOR PROMPT ACTION.

NOTE-We reserve the right to refund any \$4.00 received with adjoining application blank-the sets will be awarded acwhich applications are received.

Some day this week the LAST SECTION of our Century Club will be completed. After that we can allot no more sets of The Century Dictionary and Cyclopedia at introductory prices, for they will all be gone and the publishers will be selling the work at the regular prices-60 per cent higher than the club prices. There is no longer any need to extol the surpassing merits of this great work. The short space of time required to form the first sections of the club and the eager reception that was given The Century in the homes of our friends showed that its value is fully appreciated.

The Remarkable Success

NOTE-We suspended taking orders for four months in order to extend the club until this Fall and accommodate those customers who decided to defer the matter until now. But the publishers begin their sale at the regular price on November 15th, and insist that we close the club at once. We with therefore do so some day this week by allotting the few sets that remain.

Which has attended this enterprise from the start is the most flattering comment that could be made on our judgment in assuming the great responsibility of forming this club. It is a remarkable thing to be able to procure so excellent a work at so great a reduction and on such easy terms of payment, but all good things must have an end, and this splendid opportunity will come to an end some day this week when the last of the few remaining sets is applied for. There is yet time to avail yourself of this excep-

IF YOU CANNOT CALL,

Cut out this blank and forward it by first mail, accompanied by the membership fee of \$4.60, and we will register your name for a set, with privilege of deciding later on the style of binding. Remember we secure for you a saving of about 49 per cent if you are in time.

APPLICATION BLANK.

Of this splendid library, which is so fast coming to be viewed as a household necessity by all who have regard for home education.

Call to-day or use the adjoining application of the content pages and description, price, etc., of the various bindings, to aid me in my choice. I inclose the necessary membership ee of \$1.00.

If you act promptly,

To Emery, Bird, Thayer & Co., Kansas thus securing to yourself a saving of more than one-third the cost

Vote for the



It stands upon its record and the indorsement of entire musical world. Belongs to both parties.

W. B. ROBERTS, 920 WALNUT ST.

Advertise Tourist Sleepers

To California every Thursday, via the Burlington Route, and grand scenic line across the continent Secure your berths early at Ticket Office,

823 Main Street

NO HUMBUG ABOUT THIS:

Try a pound of our Santiago brand Coffee t Lie per lb. It can't be bent. 3 lbs of straight Java and Mocha for \$1.00. Our Beauty Flour, a strictly high patent, unranteed as good as Queen of Pantry, for \$2.35 per cwt.
Sugar is a little higher new, but we will still give 29 lbs of best granulated for \$1.90 Give us your orders and we will save you

DAVID COOK GROCERY AND FRUIT HOUSE TEL. 1452. 1116 Walnut St.



R. W. Wood & Co., COAL DEALERS.

HAIR GROWER AND SCALP CLEANER For 15 years the standard. Sold by druggists.

BURLINGTON ROUTE SPECIALS. HOMESEEKERS' EXCURSIONS TO THE WEST AND NORTHWEST, First and third Tuesdays, November and December.

Tourists' tickets on sale every day with stopover privileges, to points in Texas. Old Mexico and California, by way of the Katy line, Missouri, Kansses & Texas railway. Ticket offices, 1018 Union avenue, \$23 Main street and Union depot. T. J. FITZGERALD, P. & T. A.

KANSAS CITY SANITARIUM,



THIS SAKITARIUM

Is a private hospital—a quiet home for those afflicted with medical and surgical diseases, and is supplied with all the remedial means known to science and the latest instruments required in medern surgery.

50 ROOMS

For the accommodation of patients, together with our complete Brace-Making Department, make this the largest, oldest and the only thoroughly equipped Sanitarium in the west. We treat Spinal Curvature by means of a supension carriage giving ease and comfort to the patient while this dreadful deformity is being successfully overcome. Club Feet, Bow Legs, Knock Knees, etc. are successfully treated.

DISEASES OF DIGESTION. Dyspepsia, "Liver Complaint," Obstinate Constigation, Chronic Diarrhosa, Tapeworm and kimited affections are among those thronic diseases in the treatment of which we have attained great success.

DISEASES OF WOMEN.

Space will not permit us to enumerate the diseases peculiar to women. We pay special attention to all the diseases, and have every advantage and facility for their treatment and cure. We have comfortable and well furnished rooms and offer a quiet home during confinement. We have a neatly prepared treatise describing Diseases of Women which will by mailed free to any address.

PILES AND FISTULA.

There is nothing that so completely units a man for business as Piles. Many men and women ander for life with this annoying disease. There is no cute so safe and permanent as a surgical operation. We have permanently cured hundreds of patients who have suffered for years, having tried all kinds of remedies without relief. We have published an illustrated book containing many testimonials from patients treated with entire satisfaction: will be mailed to you free.

VARICOCELE.

Varicocele is radically and permanently cured by our surgical operation in from five to fifteen days. No medicine or local application will ever cure this trouble. We amountly cure hundreds of this class of patients, leaving them in a vigorous, healthy condition.

SURGICAL OPERATIONS

As a means of relief are only reserved to where such interference is indispensable. In such cases as Varicocele, Piles, Stricture, Fistule, Ruptures, Harelip, Cleft Pelate, Cross Eyes, Tumors, etc. Although we have in the preceding made special mention of some of the allments to which particular attention is given, the Sanitarium abounds in skill, facilities and apparatus for the successful treatment of all chronic allments, whether requiring for its cure medical or surgical means. We have a neatly published book, illustrated throughout, showing the Sanitarium, with photographs of many patients, which will be mailed free to any address.

mailed free to any address. F YOU ARE AFFLICTED with any of the above diseases, or in any way in need of medical or surgical aid and are thinking of going abroad for treatment, you are requested to call on the Editor of this Paper, who will give any information you may desire concerning the reliability of this Sanitarium. Address all communications to DR. G. H. GOE, Kansas City, Mo.

DOCTOR HENDERSON.

101 West oth Street, Kansas City, Mo.

The Old Reliable Doctor. Oldest in Age, Longest Located. A Regular Graduate in Medicine. Over 27 Years Special Practice.

Authorized by the State to treat CHRONIC, NERVOUS and SPECIAL DISEASES. Cures guaranteed or money refunded. All medicines furnished ready for use. No detention from business. Patients at a distance treated by mail and express. Medicines sent everywhere, free from gaze or breakage. Charges low. Over 30.00 cases cured. Age and experience are important. State your case and send for terms. Consultation is free and confidential, either personally or by letter.

Seminal Weakness and Sexual Debility, (Spermatorrhoen)

producing losses, pimples and biotches on the face, rushes of blood to head, pains in back, confused ideas and forcetfulness, absolutiness, aversion to society, loss of sexual power, loss of manhood, &c., cured for life. I can stop all night losses, restore lost sexual power, restore nerve and brain power, charge and strengthen weak parts and make you fit for marriage.

Syphills, forms and stages cured for life. Blood Poisoning, Skin Diseases, In all its Stricture permanently cured without swellings. Sores, Genorrhous and Gleet, and all forms of Private Diseases positively cured or money refunded.

Book for both sexes, 80 pares, 27 pictures, money refunded.

Book for both sexes, 80 pares, 27 pictures, and so the treatment at home.

Surer Cure. The greatest discovery in the analysis of medicine. One dose gives relief; a few doses remove forcer and pain in joinis—a cure in a few days. Send statement of case, with stamp for circular.

Free Museum of Anatomy

Hitle book and answer list of questions.

With stamp for circular.

Free Museum of Anatomy for Men Only. Replete with thousands of curiosities. The B'e-like models and wax figures deeply impress the mind;—a school of instruction—a sermon without words.

N. B.—I have \$500 deposited in the bank, which I will forfeit for above diseases that I cannot cars.

ALBANY DENTISTS

Special Prices Until December 1. BEST SET OF TEETH\$6.00 22 K. GOLD CRCWN -----\$4.00 er price \$5.00.

BRIDGE WORK, PER 100TH\$4.00
Silver Filling, 75c. Guaranteed Painless Extracting.
We are making this inducement in order that the public may be work at prices within reach of all. Becare of processional Jealousy Extracting Free When Teeth Are Ordered.

Hours, 8 to 6. Sunday, 2 to 1.

8 E. Eleventh St.

Washington society will do very little entertaining until the latter part of tiss month, when the debutantes will try their wings. The most conspleuous candidates for future belieflip are Miss Amy Hay, the II-year-old daughter of the secretary of state, and Miss Rosemary Sartoria, youngest daughter of stre. Nellie Grant-Bartoris, who will make her debut on her 18th birthday. Miss Eliza Bates, second daughter of General and Mrs. Alfred E. Bates, will also be presented this year, but whether in Washington in the winter of in London in May depends on the shitting fortunes of diplomacy, which at the

This Winter.

part in the game except to act as "Jonah." appellant; Livingston county; affirmed.
The court of appeals decided in favor of E. Carney et al, appellants, vs. Chilli-Mrs. Philips. Suicide Is a Disease.

Suicide Is a Disease.

Coda M. Eillott took out a life policy in the More convicted of selling milk without a license. He contended that the city could not tax the products of his farm. Judge Wofford contended likewise, but the court of appeals said that was poor law.

F. A. Dickey was fined in Wofford's court for the act of one of his drivers, who was arrested for failing to comply with the milk ordinance. The court of appeals sat down on Wofford's interpretation of the law.

Seventeen head of cattle, valued at 531.61, have, figuratively speaking, here

Holsinger, respondent; Sullivan county; affirmed.

BY JUDGE GILL.

J. T. Harness, respondent, vs. National Fire Insurance Company, appellant; Lafayette county; affirmed.

Kansas City, respondent, vs. F. A. Dickey, appellant; Jackson county (criminal); reversed and remanded.

State ex rel attorney general, plaintiff, vs. National School of Osteopathy, defendant; Jackson county (original case); judgment for defendant.

Evans Suider & Co. plaintiff in error, vs. Bank of Atchison, defendant in error; Atchison county; affirmed.

Eagle Mill Company, appellant, vs. A. S. Cavin, respondent; Dade county; affirmed.

G. C. Evans et al. respondents, vs. Chicago & Alton Railway Company, appellant; Jackson county; reversed and remanded.

T. E. Sublette, respondent, vs. St. Louis, from Mountain & Southern Railroad Company, appellant; Adair county; affirmed.

Mary Ann Macy et al, respondents, vs. Al H. Carter et al, appellants; Grandy county; affirmed.

C. Ryan, appellant, vs. J. R. Cursor, respondent; Hill county reversed and respondent; in the county of the county C. Ryan, appellant, vs. J. R. Cursor, respondent; Helt county; reversed and re-

manded.

J. Sayer, respondent, vs. Mercantile Town Insurance Company, appellant; Clinton county; reversed and remanded.

L. Holdberg, respondent, vs. Aaron Kahn, appellant; Buchanan county; affirmed.
Amanda Corby, appellant, vs. Brill Book and Stationery Company, respondent; Buchanan county; affirmed.

J. H. North Furniture and Carpet Company, appellant, vs. J. A. Davis et al, respondents; Ray county; reversed and remanded.

BY SPECIAL JUDGE GATES.
G. W. Thompson et al, respondents, vs. S. D. Irwin et al, appellants; Jackson county; reversed and remanded.

Mary A. Philips, respondent, vs. Railway Officials and Employee's Accident Association, appellant, Grundy county; affirmed, City of Brookield, respondent, vs. C. Kitchen, appellant; Linn county; transferred to supreme court.
Court adjourned to December 5. J. Sayer, respondent, vs. Mercantile Town

ODDITIES OF POISONING.

Some May Eat With Impunity Certain Foods Which Are Rank Polsons to Others.

The constitutional differences and peculiarities which exist amone individuals hould always be carefully watched and considered. One person can handle poison ivy with impunity while another is pois-oned if only in the vicinity of the vine and oned if only in the vicinity of the vine and
without contact. Some members of a family residing in a majarial district will sufter regularly with chills and fever, while
other members will not be at all affected.
Food that is netually poisonous to some
persons will not so act on others. One person may cat all kinds of green fruit and
vegetables with impunity, while another
person could do so only at the risk of life.
Certain kinds of lish are actually poisonous
to some people and perfectly wholesome to
others. It is this peculiar condition of the sys-

tem which constitutes the danger point in the individual case and should be prudently observed by each one for himself. Intestinal observed by each one for himself, Intestinal derangements frequently arise from and are aggravated by certain kinds of foods. Thus a person affected with kidney or liver trouble should not eat very white bread, since the extreme whiteness is often produced by the use of alum with an inferior article of flour, and as alum is known to be polsonous in its effects on a sound constitution, this is why alum baking powder is never used by people of judgment and discretion.

retion.

More of carthly happiness depends upon that we cat than many people realize and is for this reason that the different states re one by one passing pure food laws.

So Says Connor, the Weather Sharp, Who Has Experienced a Change of Heart.



Kansas City for overiorty-eight hours the
kind of weather they
demand. He is humble about it, too. He
has not even indulged in an echo of a
croak of self-gratulation. The weather
has simply been
grand — invisorating,
sunshiny and coolbut not too cool. It
mated weathervane can

shows what the animated weathervane can shows what the animated weathervane can do when he wants to be decent. An evidence of his recently-required decency is that he no longer predicts "continued rair weather." He now says: "Tuesday—Parriy cloudy and cooler." This means that to-day wraps and overcorts will be in demand, and that use may be found for umbrellas.

WAS SHE KIDNAPED? George Casper, Father of a Police

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Miss Mary Penk will entertain twelve young women at luncheon on Friday to meet her guests. Miss Annie Louise Cook, of Vincennes, Ind., and Miss Evelyn Craig, of Vevay, Ind.